

funding for veterans' health it provided needed to be, and could have been, fully offset. The first \$140 million could be found in those eleven pages of earmarks!

Another \$420 million could be found in the allocation for AmeriCorps, former President Clinton's program to pay salaries and benefits to "volunteers."

Nearly all of the remaining \$90 million could be found by reclaiming for veterans money this bill allocates for federally-funded community computer centers, an unauthorized expenditure.

It is all about priorities, you see, and the priorities in this bill are out of whack.

Finally, I must reiterate my disappointment with the failure of the Senate to adopt needed reforms to restore equity in the formula used to distribute funding for wastewater needs to the various States. Although the managers graciously adopted my amendment urging the authorizing committee to act this year to address the need for reform, the Senate has lost a real opportunity to bring this outmoded formula into the 21st century.

WILDFIRE TRAGEDIES

Mr. SMITH of Oregon. Mr. President, I rise today to reflect on a tragedy that weighs very heavy upon my heart. Last month four firefighters were killed in a conflagration in Washington State's Okanogan National Forest. My prayers and thoughts are with the families of Tom Craven, Devin Weaver, Jessica Johnson, and Karen FitzPatrick. Their service and bravery will not be forgotten.

This tragedy, like those at Mann Gulch and Storm King Mountain, reminds us of the very real, imminent and often hidden specter of wildfire. While Congress and the Administration have made a commendable commitment to fighting and preventing wildfire, this most recent tragedy raises valid concerns about potential administrative and regulatory barriers to responsible fire management.

There are reports that conflicting authorities, involving the requirements to protect bull trout under the Endangered Species Act, delayed a water drop on the fire for nearly 12 hours, during which time the fire grew from 25 to 2,500 acres. I am aware that the Forest Service is investigating this matter, and in no way want to comment on the verity of this report. The fact that such an occurrence is possible, however, is cause enough for great alarm, and a call for immediate attention by this body and the administration.

I would pose two questions to my colleagues: What obstacles are preventing the protection of human life during emergency situations? If there is indecision in the face of danger, is there also inconsistency in our laws, and our priorities as a government?

There is a clause in the Endangered Species Act, ESA, that provides for

threats to human life. It says that "No civil penalty shall be imposed if it can be shown . . . that the defendant committed an act based on a good faith belief that he was acting to protect himself . . . or any other individual from bodily harm, from any endangered species." This is the "charging bear" scenario, which I believe in spirit, should apply to any conflict between human and animal life.

As the Forest Service investigates this tragedy, I believe that clarity should be given to all Federal land management agencies, as well as the National Marine Fisheries Service, NMFS, giving explicit authority, in emergency situations, to take without reservation necessary actions to prevent the loss of human life. While this authority is consistent with the Endangered Species Act, it seems to be constrained by a bureaucracy that has repeatedly turned a blind eye to the human side of natural disasters.

I also want to express my disappointment in one of the government's missed opportunities to prevent wildfire threats in the first place. The National Fire Plan provided a landmark level of funding to reduce hazardous fuel loads on 3.2 million acres of public lands. In addition, the Forest Service and NMFS entered into a Memorandum of Agreement to streamline the ESA consultation process for fuels reduction projects while protecting salmon habitat. NMFS was consequently given \$4 million to accomplish this. Over a month ago, thirty NMFS biologists were sent to the Pacific Northwest to expedite these consultations. It appears that, to date, they have not been assigned a single project. In addition, testimony from the General Accounting Office this week reported that there are serious flaws in the implementation of the National Fire Plan, including interagency cooperation.

When I go home to Oregon tomorrow I want to tell my constituents, including my friends and neighbors, that "help is on the way." In order to do that, I must be confident that this body will exert every power at its disposal to protect our citizens, and our forests, from Nature's disasters, and our own.

TRIBUTE TO LANCE ARMSTRONG

Mr. BROWNBACK. Mr. President, in the world of sports, there are competitions, there are grueling tests of strength and endurance, and there is the Tour de France. For 22 days—through 20 different stages—over 2,286 miles—over mountains—across valleys—through cities—some of the world's greatest athletes ride. They compete against each other, the elements, the terrain and themselves, primarily with the hope of simply completing the ride.

Competing in the Tour de France, there are the great athletes, there are the elite athletes, and there is Lance Armstrong. On his *Circum Vitae*,

Lance might list himself as a two time Olympian, a two time US Champion, World Champion, or—a feat boasted by only eight riders since the beginning of the tour in 1903—a three time Tour de France winner.

On this past Sunday, July 29, the 29 year old Texan pulled up to the Champs-Elysees, six minutes and 44 seconds ahead of his next closest competitor. It was his third victory at the Tour de France in as many years. While he has been reluctant to accept the title, many of his fellow cyclists consider him to be "the Patron"—the unquestioned boss of the race.

However, as remarkable as his competitive achievements may be, Mr. Armstrong's *Circum Vitae* has one addition that establishes him as a truly remarkable human being—he is a cancer survivor. With the same fortitude that carried him over 6 peaks in the Pyrenees, Mr. Armstrong defeated choriocarcinoma, an aggressive form of testicular cancer. By the time it was discovered, the cancer had spread to, and established itself in, Mr. Armstrong's abdomen, lungs and brain. Some of the 11 masses in the talented young cyclist's lungs were the size of golf balls. According to medical science, Mr. Armstrong had an estimated 50/50 chance of survival. Needless to say, the odds of his ever returning to the sport he loved were more slim.

However, as has been made obvious in the last three tours, Lance Armstrong is a man of great determination. Since 1997, Mr. Armstrong has been cancer free. Despite having endured brain surgery, the removal of a testicle and intense chemotherapy, he has returned to and excelled in one of the toughest competitions in the history of sport.

Beyond his professional triumphs, Mr. Armstrong has lived a fulfilled personal life. In 1998, Lance Armstrong and Kristen Richard were joined as husband and wife. In 1999, the couple were blessed with the birth of their first son, Luke David.

Beyond his incredible professional and personal triumphs, Mr. Armstrong has become a beacon of hope to his community. Through his work with the Lance Armstrong Foundation, Mr. Armstrong has greatly benefitted the causes of research, early detection and treatment, and survivorship. The name Lance Armstrong has come to signify hope for cancer patients and their families.

So, I rise today not to congratulate Mr. Armstrong, but to thank him. He has meant a great deal to a great many people. The word "hero" is, in my opinion, overused in the world of sports. Lance Armstrong is a hero.

THE BUDGET OUTLOOK

Mr. ALLARD. Mr. President, on July 20 the senior Senator from the great State of North Dakota made a series of thought-provoking comments on the